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Before the Subcommittee on Oceans and Fisheries
Senate Committee on Commerce, Science and Transportation

Regarding Reauthorization of the Magnuson-Stevens Act

April 10, 2000

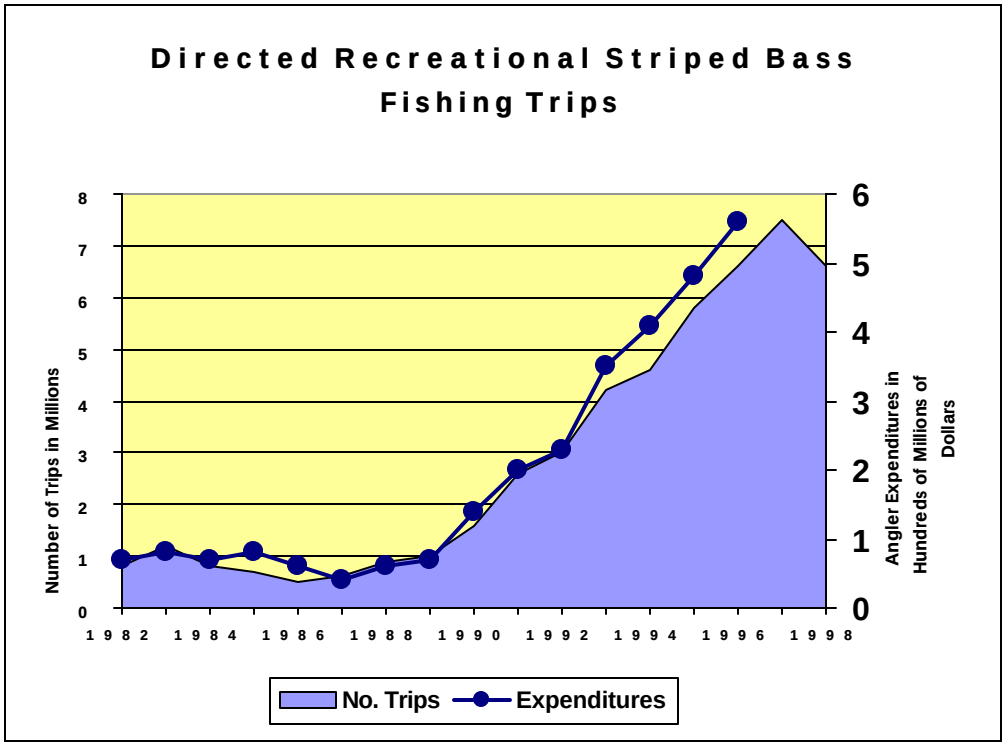
Madam Chair, I appreciate the opportunity to testify before the Subcommittee about the Magnuson-Stevens Act on behalf of the recreational fishing industry. I am the publisher of *Salt Water Sportsman* magazine and chairman of the American Sportfishing Association's saltwater government affairs committee. *Salt Water Sportsman* has a national readership of 1.2 million, making it the largest saltwater fishing magazine in the U.S. ASA is a non-profit trade organization representing the environmental and business interests of the sport fishing industry. We recognize that a sound resource is the basis for a strong industry and, as such, are united in our commitment to ensure the proper management of our nation's fisheries.

I am pleased to provide the committee with some thoughts on the reauthorization of the Magnuson-Stevens Act. As you know, there are many saltwater fish species that are of extreme importance to recreational anglers and the sport fishing industry here in New England. In addition to being a popular leisure activity, saltwater sport fishing is also big business. In 1996, approximately 10 million Americans spent just over 100 million days fishing in saltwater; nearly 750,000 of those individuals spent time fishing in the waters off of Massachusetts. The economic impact of this activity exceeded eight and a half billion dollars nationally at the retail level, accounted for the equivalent of 288,000 full-time jobs, and generated $25 billion in overall economic output. In Massachusetts alone, approximately 5,000 jobs and over $420 million was infused into the local economy due to saltwater recreational angling. Many of these jobs and economic benefits are in jeopardy as stocks of saltwater game fish are overfished and their habitat compromised. The promise of the Magnuson-Stevens Act has not yet been realized.

Through strict catch levels and the continuous efforts of conservation-minded members of the New England Fishery management Council, progress has been made on some New England species. Georges Bank populations of yellowtail flounder, near a historical low in 1994, are now rapidly approaching maximum sustainable yield. Considered commercially extinct not long ago, Georges Bank

haddock have reversed their steep decline. Unfortunately, there are many other stocks not doing quite so well after nearly 30 years of federal management. Forty-six percent of NMFS-managed species in New England are known to be overfished, including Gulf of Maine cod, once the staple fish of this region. As evidence, the recreational catch of Gulf of Maine cod from 1994 to 1998 has declined an average of 61% per year. When compared to the commercial sector T. A. C. overage for 1996, 97, and 98 of 9,612 metric tons, the recreational catch for that period was only 20.7% of the overage alone. Nationally, an additional 75% of stocks under federal management maintain an "unknown" status. Undoubtedly, some of these "unknown" species are overfished.

Despite the enormity of the problem facing NMFS, the New England Fishery Management Council and above all, the local fishermen (both recreational and commercial), I am optimistic that a viable, diverse recreational fishery can again be established in New England. No species is more important to this than the striped bass. Once decimated by overfishing throughout its range, striped bass rebounded in the 1990's to regain its title as perhaps the most important recreational fish along the northeast Atlantic coast. The recovery was neither quick nor easy. However, it has been worth the hardship as recreational anglers and local coastal communities are now reaping the rewards of a strong recreational striped bass fishery. Since 1987, recreational angler expenditures and number of trips directed at striped bass have increased more than ten fold as evidenced in the figure below.



Given the striped bass' relative abundance, the success story seems

complete. It is easy to forget that striped bass remain vulnerable to overfishing. Although we may not need to revert to the restrictions of 15 years ago, difficult management decisions are still required to maintain a healthy recreational fishery. The effort to rebuild striped bass populations was the result of unprecedented cooperation among the states from North Carolina to Maine. The effort to maintain healthy stocks must show this same commitment. Nevertheless, equity between the states must be demonstrated. The recreational fishing interests that worked hard for striped bass populations fifteen years ago must have the opportunity to catch their fair share of the fish they helped to rebuild. Being a recreational fisherman in Massachusetts, I want the same chance to catch striped bass as those anglers do down in Maryland.

It must be recognized that there are structural changes in the population with any given geographic location. As striped bass migrate throughout the course of the year, removing too many large fish in one area, may affect the conservation measures needed in an adjacent area. While the central goal is healthy striped bass populations, regulations that disproportionately reward one region over another must be avoided. While the conservation measures to which I am referring will likely not, for example, put a charter boat or local bait shop out of business, the economic consequences to local communities and individual anglers can be significant. I would ask the committee to carefully examine these and similar equity issues, paying particular attention to the opportunity costs of regulation on recreational anglers and the industry.

Managing fish populations is only half of the equation. One of the keys to achieving healthy fish stocks is to protect their habitat. It makes little sense to try to rebuild the fish stocks while continuing to diminish their necessary habitat. There are several factors contributing to habitat degradation, emanating from human activities both on the land and on the water.

The 1996 reauthorization of the Magnuson-Stevens Act included a new Essential Fish Habitat provision that was supposed to address this aspect. I supported these Essential Fish Habitat (EFH) provisions and continue to believe protecting fish habitat is crucial. Recently, some have made dramatic characterizations about the dire consequences on development from implementing these provisions. Those fears have not been realized here in New England. To my knowledge, no reasonable development has ever been halted due to Magnuson's EFH protections.

Nevertheless, the last four years have made it evident that NMFS has neither the resources nor the scientific data to delineate areas that promote habitat preservation while taking into account the socioeconomic effects on local communities. Like most recreational fishermen, I have a strong conservation ethic. While I have and continue to be outspoken about protecting fish habitat, from a practical matter, I do believe it is not possible to delineate all waters in the US EEZ

as essential fish habitat. I urge the committee to help NMFS find the correct balance.

Solid data is necessary for making accurate management decisions such as those relating to EFH. As Magnuson-Stevens requires, both biological and socioeconomic data must be used in making such decisions. I feel that on both of those fronts, NMFS does not often have the information in their possession to make well-supported decisions. Specifically, take for example the Marine Recreational Fisheries Statistics Survey (MRFSS) that is the primary method used by NMFS to assess the impact of saltwater sport fishing. Both catch data and general demographic information is collected by the annual survey. This data is used to set catch targets and allocate fishery resources among various groups. I take issue with the accuracy of the biological data collected and its use to make educated decisions about allocation of recreationally important species. Many current allocations of recreational quotas are little more than guesswork and give rise to serious questions about equity of allocation decisions.

I have seen little effort by NMFS to seek to improve the data collection deficiency. Funding for the MRFSS has not increased significantly since it began more than twenty years ago. While simply throwing money at a problem is not the solution, I see a definite cause and effect relationship here. Furthermore, gathering this data is necessary to fulfill the requirements set forth in Magnuson-Stevens. I might ask that the Senate look toward the lands bill that is currently being considered in the House and the Senate. If the substantial OCS oil and gas revenues are going to be diverted from the general budget and dedicated to conservation efforts, I cannot help but think that directing some of that money into collecting accurate data to better manage our nation's fisheries is a worthwhile investment.

The detrimental effect of some commercial fishing practices is one area where we do have adequate scientific information. Preventable human activities that cause damage to vast stretches of fish habitat should be dealt with. One way to protect habitat is to restrict harmful fishing practices and use of particular gears by creating marine protected areas (MPA). This notion of marine zoning, through the establishment of sanctuaries and reserves as a method to minimize pressure on the resource, was born from the system of terrestrial parks and refuges. Just as it is on the land, it can be a useful tool on the sea if it is used properly.

Unfortunately, for many, MPA's have become the silver bullet solution to the fishery management crisis. Rather than target management on the most harmful practices, it just seems easier to exclude everyone. This mentality concerns me greatly. In the rush to close off areas in the name of habitat preservation and fisheries management, it is often forgotten that we are excluding the public from areas where they traditionally have recreated. Last I checked, recreational fishing is still a universally accepted practice in nearly all terrestrial parks and refuges. So it

should be on the sea. While limiting public access to certain very sensitive areas may be required in certain cases, I am disturbed that other equally effective and less draconian measures to control recreational fishing pressure may be bypassed in favor of no-take fishing zones. In New England, the NEFMC research has concluded that the impact of recreational fishing in managed closed areas has no impact of the recovery of over-fished groundfish stocks.

A recent National Research Council report found that the annual recreational catch was only a fraction of that caught commercially, yet each pound of recreationally caught fish produced 40 times the economic benefit of a pound of commercially caught fish. I had previously stated that right here in Massachusetts, saltwater sport fishing contributes $420 million to the local economy. Further, significant monies are collected on each purchase of sport fishing equipment through the payment of the Wallop-Breaux excise tax. Over $2 million of those collections were returned to Massachusetts to support fish restoration and aquatic resource education programs. Recreational anglers are among the first conservationists, why penalize them by establishing no-take zones that remove their access to the water? If public access to the resource is restricted, fishery participation may well decrease and vital influxes of monies to local communities may evaporate.

It seems to me, that before public access to the resource is limited, other fishery management tools need to be exhausted. Recreational fisheries are effectively managed through closed seasons, bag limits, or minimum sizes. Then, should the evidence show that specific sights need extra protection, recreational anglers need to be included in the designation process with preserving public access among the top priorities.

One practical matter on the establishment of MPA's that is of concern regards the sheer number of efforts underway to establish MPAs. The National Park Service, Department of the Interior, and NMFS are just a few government entities contemplating marine closures. It makes it difficult to follow these different efforts and extremely time-consuming to comment at all that would affect the recreational fishing industry. I would ask the committee to consider consolidating these efforts to better facilitate public participation. The regional fishery management councils seem one logical place to centralize these efforts.

Let me close by stating that fishery management begins here at home with a strong Magnuson-Stevens Act. However, the rebuilding of fish stocks takes a dedicated commitment both nationally and internationally. While it is difficult to look beyond our borders when many of our fisheries resources are in decline, fish are global resources with many species important to the United States migrating freely between the waters of many different nations.

The US has shown a positive commitment to participating with international

management bodies to improve management of these international, migrating fish stocks. Through the leadership of the United States, progress has been made. I hope to one day soon see sustainable swordfish populations return to the coast of Massachusetts. With strong US participation at the International Conference on the Conservation of Atlantic Tunas, this may be a reality by the end of the decade.

As is the situation here with our fishery resources, much remains to be accomplished on these international stocks. We must continue to be a conservation leader both nationally and internationally.

I thank the committee for listening to my thoughts on Magnuson-Stevens reauthorization.